

REMARKS

Claim 1 was pending in the application. Claims 2-27 have been previously canceled. By this amendment, claim 1 has been canceled, without prejudice or disclaimer of any previously claimed subject matter, and new claims 28-43 have been added. Thus, claims 28-43 are under consideration.

With respect to all amendments and canceled claims, Applicants have not dedicated or abandoned any unclaimed subject matter and moreover have not acquiesced to any rejections and/or objections made by the Patent Office. Applicants reserve the right to pursue prosecution of any presently excluded claim embodiments in future continuation and/or divisional applications.

The amendment to the specification is made for the purpose of identifying a recited sequence with a SEQ ID NO. as listed in the Sequence Listing. New claims 28-43 are supported by the specification as follows: Support for claim 28 is found in the specification on, *inter alia*, page 7, lines 7-23; page 8, lines 29-32; and page 11, line 8; and page 5, line 2. Support for claim 29 is found in the specification on, *inter alia*, page 11, lines 8-13. Support for claim 30 is found in the specification on, *inter alia*, page 8, lines 18-19; and page 5, lines 20-21. Support for claim 31 is found in the specification on, *inter alia*, page 13, lines 26-27. Support for claim 32 is found in the specification on, *inter alia*, page 8, line 29 to page 9, line 3. Support for claim 33 is found in the specification on, *inter alia*, page 8, line 29 to page 10, line 6. Support for claim 34 is found in the specification on, *inter alia*, on page 8, lines 29-32; page 9, line 33 to page 10, line 2; and page 10, lines 7-14. Support for claim 35 is found in the specification on, *inter alia*, page 10, line 10. Support for claim 36 is found in the specification on, *inter alia*, page 10, lines 11-12. Support for claim 37 is found in the specification on, *inter alia*, page 9, line 18 to page 10, line 6; and Example 1. Support for claims 38-43 is found in the specification on, *inter alia*, page 9, lines 13-15 and on page 22, lines 22-24. Accordingly, no new matter has been added by foregoing amendments.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment, captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE".

Entry of this Preliminary Amendment is respectfully requested.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 252312006002.

Respectfully submitted,

Dated: December 27, 2002

By: Jill A. Jacobson

Jill A. Jacobson
Registration No. 40,030

for Catherine Polizzi
Registration No. 40,130

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5651
Facsimile: (650) 494-0792

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification

The paragraph beginning at line 2 of page 24 has been amended as follows:

H₂N-Gly-Ile-Gly-Ala-Val-Leu-Lys-Val-Leu-Thr-Thr-Gly-Leu-Pro-Ala-Leu-Ile-Ser-Trp-Ile-Lys-Arg-Lys-Arg-Gln-Gln-CONH₂ (SEQ. ID NO: 11).

In the Claims

Claim 1 has been canceled.

Claims 28-43 are new.